

## Community resources

[Follow us on Twitter](#) [Check our Reddit](#) [Twitter this](#) [Digg this](#) [page](#) [Contact us on IRC](#)

*courage is contagious*

## Viewing cable 06SOFIA198, NEW CHIEF PROSECUTOR READIES FOR "WAR"

If you are new to these pages, please read an introduction on the [structure of a cable](#) as well as how to [discuss them](#) with others. See also the [FAQs](#)

### Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

### Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#06SOFIA198**.

Reference ID	Created	Released	Classification	Origin
<a href="#">06SOFIA198</a>	<a href="#">2006-02-07 16:27</a>	<a href="#">2011-08-30 01:44</a>	<a href="#">CONFIDENTIAL</a>	<a href="#">Embassy Sofia</a>

Appears in these articles:

<http://www.bivol.bg/wlvelchev.html>

[http://www.capital.bg/politika\\_i\\_ikonomika/bulgaria/2011/05/13/1089147\\_na\\_chetiri\\_ochi\\_s\\_boris\\_velchev/](http://www.capital.bg/politika_i_ikonomika/bulgaria/2011/05/13/1089147_na_chetiri_ochi_s_boris_velchev/)

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 03 SOFIA 000198

SIPDIS

E.O. 12958: DECL: 02/03/2011

TAGS: [PREL](#) [KCOR](#) [KCRM](#) [BU](#)

SUBJECT: NEW CHIEF PROSECUTOR READIES FOR "WAR"

REF: SOFIA 82

Classified By: Ambassador John R. Beyrle, for reason 1.4 (b) & (d)

**1.** (C) SUMMARY: In a February 3 meeting with the Ambassador, newly elected Chief Prosecutor Boris Velchev made clear that despite pressure to produce immediate results for an EU audience, his main focus would be on building solid cases against OC figures and asserting control over a deeply dysfunctional prosecution service. Velchev conceded the challenge of managing short-term expectations, but displayed impressive candor and resolve in outlining his priorities and the obstacles he expects to face once in office. We should be prepared to support Velchev's reform of the prosecution service with technical assistance, however difficult a time he may have meeting the high expectations of Bulgaria's political elite and EU observers. END SUMMARY.

-----  
DISARMING A 'TERRORIST' PROSECUTION SERVICE  
-----

**2.** (C) Velchev spoke frankly about the current state of affairs in Bulgaria's prosecution service, stating that from what he has learned in recent weeks, the situation is "even worse than I had imagined." In his words, the prosecution service under current Chief Prosecutor Nikola Filchev has evolved into "some kind of terrorist organization" used to settle political and business scores, but totally incapable of fighting crime. So entrenched is the outgoing Chief Prosecutor's influence that just three weeks shy of Velchev's inauguration, his future deputies refuse to speak with him, openly hinting at fears of repercussions from Filchev. Citing a lack of access to information, Velchev declined to provide a detailed "100-day plan," but outlined three potential sources of opposition to change: criminals, politicians, and the prosecutors themselves. Velchev

declared that he was "not afraid" of criminals, and "could find a way to deal with" politicians, but was most surprised and discouraged by resistance from within the prosecution service. He indicated that his first moves as Chief Prosecutor would be to prepare for "some kind of a war" with corrupt incumbent prosecutors.

13. (C) Velchev did not expect this struggle to be easy. Like the Chief Prosecutor, Deputy Chief Prosecutors are elected rather than appointed, and the current deputies have several years remaining in their terms. In Velchev's evaluation, his only near-term chance to build a team he can trust will be to approach these deputies individually and convince them to resign. As he attempts to assemble his team of trusted deputies, Velchev plans to simultaneously tackle the "easy work" of sending signals that political influence in prosecutions will no longer be tolerated, as well as the more challenging task of beginning to collect hard evidence on 15 years of unchecked OC activity. After a house-cleaning period of 3-4 months, Velchev hopes to start moving against high-profile OC and corruption targets.

14. (C) On the issue of Filchev's future, Velchev acknowledged the conventional wisdom that he will likely be sent abroad as ambassador to Belarus or Kazakhstan. Filchev, who counts Belarussian President Lukashenko as a personal acquaintance and has made several official and unofficial trips to Minsk in the past year, has lobbied for such a post unabashedly. Velchev acknowledged that many aspects of his job would be easier if Filchev were physically out of the country and not "looking over my shoulder." However, Velchev also worried out loud that as details of Filchev's activities became clear, pressure to investigate him might build, causing bilateral problems with the country of his posting.

#### ----- EU EXPECTATIONS -----

15. (C) Velchev acknowledged the importance of the EU's April monitoring report on Bulgaria's readiness for accession, but said he could not plan his priorities as Chief Prosecutor based on the European Commission's timeline. The previous Chief Prosecutor's lack of progress in fighting corruption and solving over 30 high-profile OC-related killings has long been a concern of the EU and the U.S. Embassy alike. Although many OC figures in Bulgaria continue to operate in plain sight, progress toward speedy prosecutions will be hampered by years of shoddy evidence collection and a team whose previous lack of success indicates they are "incompetent, afraid, or corrupt." In his meetings with EU officials, Velchev intends to stress the importance of real, rather than cosmetic reform, while holding out hope that a reformed, functioning prosecution service will eventually "give hope to people" that the war on organized crime and corruption can be won. With regard to domestic public opinion, the future Chief Prosecutor mentioned the possible need to publicly reveal "the facts" regarding the state of the prosecution service in order to manage expectations and illustrate the scope of the challenges before him.

#### ----- BENDING THE RULES? -----

16. (C) Despite his respect for the rule of law, Velchev argued that bending rules of evidence and procedure was justified in the case of certain organized crime leaders. Referring again to the failure of Bulgarian prosecutors and law enforcement officials to collect more than "feeble evidence" against OC figures, Velchev announced his intention to pursue a "contract with the courts" - i.e., to appeal to judges to convict OC leaders based on evidence that otherwise might not pass muster. He estimated that such an arrangement would be justified against the country's 20-30 highest-ranking criminals, in whose cases adherence to "strict legal principles will be counterproductive." According to Velchev, Interior Minister Petkov had already enlisted his support in deploying this strategy in the high-profile prosecution of the Marinov brothers for attempted murders linked to organized crime.

#### ----- THE U.S. ANGLE -----

17. (C) Velchev said he appreciated the Ambassador's offer of USG support, and agreed with the Ambassador's statement that while the U.S. could help build the technical competency of prosecutors, the moral and ethical foundation for an effective prosecution service would have to come from the Bulgarian side. Velchev stressed that while technical assistance would be necessary in time, the need to consolidate control of the prosecution service and initiate successful cases made USG cooperation in gathering and sharing information a more pressing priority. Velchev cited

Bulgarian law enforcement's lack of previous success against OC as justification for a lack of confidence in "professional" officials of the Ministry of Interior, raising the possibility that even USG information previously shared with GoB law enforcement counterparts might be "filtered" before making it to his desk. In a request that highlighted his lack of support among the corps of prosecutors, Velchev asked Post's Resident Legal Advisor to suggest a shortlist of effective regional prosecutors we have worked with in other cities who could serve as potential allies in his reform efforts.

-----  
LIBYA  
-----

18. (C) Despite working extensively on the issue of the Bulgarian medics in Libya in his role as the President's Legal Advisor, Velchev was not aware of the outcome of recent meetings in London. He expressed guarded optimism about the prospects for an eventual favorable resolution of the case. Specifically, he predicted that the Libyan side would push for a solution "in the hardest possible way for us" - by re-convicting the nurses, sentencing them to death again, and finally pardoning them, perhaps by late summer. He thanked the Ambassador for the USG's efforts on behalf of the nurses, and noted that the last six months had seen a notable increase in Libya's willingness to find a quick resolution to the crisis.

-----  
COMMENT  
-----

19. (C) Velchev is clearly open to cooperation with the U.S.: he specifically mentioned that some public expression of U.S. support for his efforts once in office would send a strong and positive message to the Bulgarian people and strengthen his position. Velchev's outline of his concerns and priorities struck us as right on target: only a short-term focus on internal house-cleaning will make the longer-term war against organized criminals effective. However, even if his attempts at meaningful reform are fully successful, results are likely to materialize in months, not days. The high expectations of many observers for short-term results are unrealistic given the extent to which the "old way of doing business" is entrenched in the prosecution service. Nonetheless, after seven years of pervasive, systemic corruption under the outgoing prosecutor, Velchev offers the best chance for change Bulgaria could have hoped for, and we should be ready to offer all the support he can use. END COMMENT.  
Beyrle